

CHAP. 785.—An Act To amend an Act to authorize the Secretary of War and the Secretary of the Navy to make certain disposition of condemned ordnance, guns, projectiles, and other condemned material in their respective departments.

May 26, 1928.
[H. R. 6049.]
[Public No. 549.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an Act to authorize the Secretary of War and the Secretary of the Navy to make certain disposition of condemned ordnance, guns, and cannon balls in their respective departments, approved May 22, 1896 (chapter 231, Twenty-ninth Statutes, page 133; section 546, title 34, United States Code; section 67, title 50, United States Code), be, and is hereby, amended so that the Act when amended shall read:

Army and Navy condemned ordnance, etc.

Vol. 29, p. 133, amended.
U. S. Code, pp. 1124, 1693.

"That the Secretary of War and the Secretary of the Navy are each hereby authorized, in their discretion, to loan or give to soldiers' monument associations, posts of the Grand Army of the Republic, posts of the American Legion, and other recognized war veteran associations, State museums, and municipal corporations condemned or obsolete ordnance, guns, projectiles, and other condemned or obsolete material which may not be needed in the service of either of said departments.

Loans or gifts of, to soldiers' monument associations. Grand Army of the Republic, American Legion, etc.

"Such loan or gift shall be made subject to rules and regulations covering the same in each department, and the Government shall be at no expense in connection with any such loan or gift."

No Government expenses.

Approved, May 26, 1928.

CHAP. 786.—An Act To amend section 3 of an Act entitled "An Act authorizing the use for permanent construction at military posts of the proceeds from the sale of surplus War Department real property, and authorizing the sale of certain military reservations, and for other purposes," approved March 12, 1926.

May 26, 1928.
[S. 3752.]
[Public, No. 550.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of an Act authorizing the use for permanent construction at military posts of the proceeds from the sale of surplus War Department real property, and authorizing the sale of certain military reservations, and for other purposes, be, and the same is hereby, amended to read as follows:

Land for military purposes.
Sale of tracts, etc., no longer needed.
Vol. 44, p. 205, amended.

"SEC. 3. The Secretary of War is hereby authorized, directed, and empowered, in the event it be found that any citizen of the United States, or the ancestors, the assignors, or the predecessors in title of a citizen, either separately or by tacking, shall have for a period of twenty or more years immediately preceding the approval of this Act resided upon and occupied adversely or improved any part or parcel of the aforesaid designated property; or exercised ownership thereof based upon a deed of conveyance, purporting to convey a fee simple title and executed twenty years or more prior to the passage of this Act, and theretofore made by one claiming title to such part or parcel, to have such part or parcel so claimed separately surveyed if requested in writing by a claimant within sixty days after the service of written notice on such person or his tenant or agent that the United States claims such land, and to thereafter convey title to the claimant by quitclaim deed upon payment of 10 per centum of the appraised value thereof: *Provided*, That any claimant who fails or refuses for more than sixty days after the notice herein provided to make written application for survey and submit satisfactory record and other evidence required by the Secretary of War to substantiate the claim that he is entitled to a quitclaim deed under the provisions of this section shall forever be estopped from exercising any claim of title or right of possession to the property: *Provided further*, That the

Survey of parcel on request of adverse possessor thereof on notice of Government claim.

Authority for quitclaim deed.

Proviso.
Claimant estopped if no application made, etc.

Option to citizens who have occupied property for more than 15 years under lease from War Department, to buy at appraised value.

Expenses limited.

Secretary of War may, in his discretion, extend to citizens of the United States who have themselves or whose predecessors in interest have occupied and improved portions of such reservations under leases from or with the consent of the War Department for more than fifteen years prior to the approval of this Act, an option to buy the portions of such reservations so occupied and improved at the appraised value of the land exclusive of improvements placed thereon; and the Secretary of War is hereby authorized to convey title to such persons by quitclaim deed upon payment of the appraised value of any such portions: *Provided further*, That in carrying out the provisions of this section the Secretary of War shall not incur any expense other than that incident and necessary to giving the notices required and surveying and platting such of the property as may be claimed by a citizen of the United States."

Approved, May 26, 1928.

May 26, 1928.

[H. R. 12624.]

[Public, No. 551.]

CHAP. 787.—An Act To amend section 17 of the Act of June 10, 1922, entitled "An Act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," as amended.

Pay readjustment, Army, etc.
Vol. 42, p. 632, amended.

Retired pay.
Active duty since retirement included in longevity pay, etc.

Pay, etc., while on leave or sick, as officers on active duty.
Benefits to dependents, if dying on leave or sick.
Vol. 41, pp. 367, 785.

Proviso.
No back pay, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 17 of the Act approved June 10, 1922, entitled "An Act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," as amended, is hereby further amended by inserting after the words "provided in this Act," and before the next proviso, line 3 of said section, the following: "which pay shall include increases for all active duty performed since retirement in the computation of their longevity pay and pay periods."

And after the phrase, "receive full pay and allowances," at the end of the last line of said section, by changing the period to a comma and inserting thereafter the following: "and when on active-duty status, shall have the same pay and allowance rights while on leave of absence or sick as officers on the active list, and if death occurs when on active-duty status, while on leave of absence or sick, their dependents shall not thereby be deprived of the benefits provided in Act approved December 17, 1919, as amended, and in the Act of June 4, 1920: *Provided*, That no back pay or allowances shall accrue by reason of the passage of this Act."

Approved, May 26, 1928.

May 28, 1928.

[S. 3593.]

[Public, No. 552.]

CHAP. 811.—An Act To authorize the leasing or sale of lands reserved for agency, schools, and other purposes on the Fort Peck Indian Reservation, Montana.

Fort Peck Indian Reservation, Mont.
Sale or lease of reserved agency, etc., lands with consent of the Indians.
Vol. 44, p. 1402.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to lease or sell any of the tribal lands on the Fort Peck Indian Reservation, Montana, the lands that were reserved and title thereto reinvested in the Indians by the Act of March 3, 1927 (Forty-fourth Statutes at Large, page 1402), and now reserved for agency, schools, and other purposes, upon such terms and conditions as he may prescribe with the consent and approval of the Indians through the general council of the Fort Peck Indians in the State of Montana at general council meeting when duly called and assembled: *Provided*, That no part

Provisos.